

KARIN J. IMMERMUTH (OSB No. 96314)

United States Attorney

District of Oregon

JIM SUTHERLAND (OSB No. 68160)

jim.sutherland@usdoj.gov

Assistant United States Attorney

1000 S.W. Third Avenue, Suite 600

Portland, OR 97204-2902

(503) 727-1194 (tel) / (503) 727-1117 (fax)

SUE ELLEN WOOLDRIDGE

Assistant Attorney General

MICHAEL J. ZEVENBERGEN (WSB 21292)

michael.zevenbergen@usdoj.gov

U.S. Department of Justice

c/o NOAA/Damage Assessment

7600 Sand Point Way, NE

Seattle, WA 98115

(206) 526-6607 (tel) / (206) 526-6665 (fax)

MEREDITH L. FLAX (DCB 468016)

meredith.flax@usdoj.gov

U.S. Department of Justice

Environment & Natural Resources Division

Wildlife & Marine Resources Section

Ben Franklin Station, P.O. Box 7369

Washington, D.C. 20044-7369

(202) 305-0404 (tel) / (202) 305-0275 (fax)

Attorneys for Federal Defendants

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON

NORTHWEST ENVIRONMENTAL
ADVOCATES, a non-profit corporation,

Civ. No. 05-1876-HA

Plaintiff,

UNITED STATES' NOTICE
OF FILING EPA'S
CERTIFIED INDEX OF ITS
ADMINISTRATIVE
RECORD

v.

UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY, NATIONAL MARINE
FISHERIES SERVICE, and UNITED STATES
FISH AND WILDLIFE SERVICE,

Defendants.

Notice is hereby provided to the Court and the parties that the United States is hereby filing EPA's certified index to the administrative record. The Certified Index To EPA's Administrative Record is attached to this Notice of Filing as Attachment A. In order to lessen the burden on the Court of managing the large administrative record, the administrative record documents themselves will not be filed with the Court. Instead, the United States intends to file all administrative record documents cited by the parties in their summary judgment briefs as excerpts of record at the conclusion of the briefing schedule. Conversely, if the Court prefers to receive documents cited in the briefs prior to the conclusion of the briefing, the United States will work with the other parties to facilitate prompt delivery of those documents on the schedule desired by the Court.

Copies of EPA's administrative record documents are being mailed today to counsel for the parties identified in the Certificate of Service.

Respectfully submitted,

SUE ELLEN WOOLDRIDGE
Assistant Attorney General
Environment & Natural Resources Division

/s/ Michael J. Zevenbergen
MICHAEL J. ZEVENBERGEN
United States Department of Justice
c/o NOAA/Damage Assessment
7600 Sand Point Way, NE
Seattle, WA 98115
(206) 526-6607
E-mail: michael.zevenbergen@usdoj.gov

MEREDITH FLAX
United States Department of Justice
P.O. Box 7369
Washington, DC 20044-7369
(202) 305-0404
E-mail: Meredith.Flax@usdoj.gov

Attorneys for United States of America

Dated: June 7, 2006

CERTIFICATE OF SERVICE

I hereby certify that on June 7, 2006, I caused a true copy of the UNITED STATES' NOTICE OF FILING EPA'S CERTIFIED INDEX OF ITS ADMINISTRATIVE RECORD to be served on each of the following named persons at his or her last known addresses in the manner indicated below:

Melissa Powers PACIFIC ENVIRONMENTAL ADVOCACY CENTER 10015 S.W. Terwilliger Blvd. Portland, OR 97219 powers@clark.edu	[] Via Hand Delivery [] Via E-mail [] Via First-Class mail, postage pre-paid [] Via Overnight Mail [X] Notice of electronic filing using CM/ECF
Alison LaPlante PACIFIC ENVIRONMENTAL ADVOCACY CENTER 10015 S.W. Terwilliger Blvd. Portland, OR 97219 laplante@clark.edu	[] Via Hand Delivery [] Via E-mail [] Via First-Class mail, postage pre-paid [] Via Overnight Mail [X] Notice of electronic filing using CM/ECF
Karen Moynahan Oregon Department of Justice 1162 Court St., NE Salem, OR 97301-4096 karen.moynahan@doj.state.or.us	[] Via Hand Delivery [] Via E-mail [] Via First-Class mail, postage pre-paid [] Via Overnight Mail [X] Notice of electronic filing using CM/ECF
Laura Maffei, R.G. Attorney at Law Schwabe Williamson & Wyatt 1211 SW 5 th Ave., Suites 1600-1900 Portland, OR 97204 Lmaffei@SCHWABE.com	[] Via Hand Delivery [] Via E-mail [] Via First-Class mail, postage pre-paid [] Via Overnight Mail [X] Notice of electronic filing using CM/ECF

/s/ Michael J. Zevenbergen
MICHAEL J. ZEVENBERGEN

ATTACHMENT A

KARIN J. IMMERMUT (OSB No. 96314)

United States Attorney

JEFFREY K. HANDY (OSB No. 84051)

Assistant United States Attorney

District of Oregon

1000 S.W. Third Avenue

Portland, OR 97204-2902

SUE ELLEN WOOLDRIDGE

Assistant Attorney General

Environment & Natural Resources Division

MICHAEL J. ZEVENBERGEN

MEREDITH FLAX

U.S. Department of Justice

c/o NOAA/Damage Assessment

7600 Sand Point Way, NE

Seattle, WA 98115

(206) 526-6607

(206) 526-6665 (fax)

email: michael.zevenbergen@usdoj.gov

Attorneys for United States of America

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON

NORTHWEST ENVIRONMENTAL
ADVOCATES, a non-profit corporation,

Civ. No. 05-1876-HA

Plaintiff,

CERTIFIED INDEX TO
EPA'S ADMINISTRATIVE
RECORD

v.

UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY, NATIONAL MARINE
FISHERIES SERVICE, and UNITED STATES
FISH AND WILDLIFE SERVICE,

Defendants.

The United States Environmental Protection Agency ("EPA") certifies that the materials listed in the attached index constitute the administrative record for EPA's action on March 2, 2004 to approve revisions to Oregon's water quality standards.

In witness whereof, I have signed this statement on this 5th day of June 2006, at Seattle, Washington.



Michael Gearheard
Director
Office of Water
U.S. Environmental Protection Agency
Region 10
Seattle, Washington

**EPA REVIEW AND APPROVAL OF
2003 REVISIONS TO OREGON'S WATER QUALITY STANDARDS
ADMINISTRATIVE RECORD**

DOC. NO.	DATE	DOCUMENT
I. EPA's Approval of Oregon's Revised Uses and Standards Submitted December 2003		
I.A. Approval Action of Oregon's Revised Uses and Standards Submitted December 2003		
1	3/2/04	<p>Letter to Stephanie Hallock, Director, ODEQ, from John Iani, EPA RA, re: Approval of Oregon State Water Quality Standards (OAR 340-041) for Temperature, Inter-Gravel Dissolved Oxygen and Antidegradation</p> <p>Att. 1: Support Document for EPA's Action Reviewing New or Revised Water Quality Standards for the State of Oregon, March 2, 2004</p>
2	3/2/04	<p>Memorandum to Randy Smith and John Iani, EPA, from Dru Keenan and John Palmer, EPA, re: Recommendation to Approve Oregon's Revised Standards for Temperature, Intergravel Dissolved Oxygen, Natural Background, Anti-degradation Implementation Methods and Beneficial Use Designations for Salmonids</p> <p>Att. 1: (refer to document 1, attachment 1)</p>
I.B. Oregon's Revised Uses and Standards Submitted December 2003		
3	2/24/04	<p>Letter to Randy Smith, EPA, from Larry Knudsen, Assistant State Attorney General, Natural Resources Section, re: Attorney General Certification of Oregon Water Quality Standards Revisions Adopted December 4, 2003</p> <p>Att. 1: Oregon Environmental Quality Commission Minutes of the Three Hundredth and Fifteenth Meeting, December 4-5, 2003, Regular Meeting</p> <p>Att. 2: Secretary of State Certificate and Order for Filing, Permanent Administrative Rules</p> <p>Att. 3: Administrative Rules</p>
4	2/4/04	Letter to Randy Smith, EPA, from Michael T. Llewelyn, ODEQ, re: Oregon Responses to EPA, Questions re: State's Water Quality Temperature Standards
5	12/19/03	Letter to Randy Smith, EPA, from Michael T. Llewelyn, ODEQ, re: Oregon Responses to EPA Questions re: State's Water Quality Temperature Standards

DOC. NO.	DATE	DOCUMENT
6	12/10/03	<p>Letter to John Iani, EPA, from Stephanie Hallock, ODEQ, re: Oregon Submission of Revisions to the State Water Quality Standards (OAR 340-041) for EPA Review and Approval</p> <p>Att. 1: ODEQ Water Pollution Division 41 Water Quality Standards: Beneficial Uses, Policies, and Criteria for Oregon</p> <p>Att. 2: OAR Chapter 340 Division 41 Tables & Figures:</p> <p>Appendix I</p> <p>Table 20: Water Quality Criteria Summary</p> <p>Table 21: Dissolved Oxygen and Intergravel Dissolved Oxygen Criteria</p> <p>Table 101A: Designated Beneficial Uses Mainstem Columbia River (340-41-0101)</p> <p>Table 101B: Beneficial Uses Mainstem Columbia River</p> <p>Table 121A: Designated Beneficial Uses Mainstem Snake River (340-41-0120)</p> <p>Table 121B: Beneficial Use Designations–Fish Uses Mainstem Snake River</p> <p>Table 130A: Designated Beneficial Uses Deschutes Basin (340-41-0130)</p> <p>Table 140A: Designated Beneficial Uses Goose and Summer Lakes Basin (340-41-0140)</p> <p>Table 140B: Beneficial Use Designations–Fish Uses Goose and Summer Lakes Basin, Oregon</p> <p>Table 151A: Designated Beneficial Uses Grande Ronde Basin (340-41-0151)</p> <p>Table 160A: Designated Beneficial Uses Hood Basin (340-41-0160)</p> <p>Table 170A: Designated Beneficial Use John Day Basin (340-41-0170)</p> <p>Table 180A: Designated Beneficial Uses Klamath Basin (340-41-0180)</p> <p>Table 190A: Designated Beneficial Uses Malheur Lake Basin (340-41-0190)</p> <p>Table 190B: Beneficial Use Designations–Fish Uses Malheur Lake Basin, Oregon</p> <p>Table 201A: Designated Beneficial Uses Malheur River Basin (340-41-0201)</p> <p>Table 220A: Designated Beneficial Uses Mid Coast Basin (340-41-0220)</p> <p>Table 230A: Designated Beneficial Uses North Coast Basin (340-41-0230)</p> <p>Table 250A: Designated Beneficial Uses Owyhee Basin (340-41-0250)</p> <p>Table 250B: Beneficial Use Designations–Fish Uses Owyhee Basin, Oregon</p> <p>Table 260A: Designated Beneficial Uses Powder/Burnt Basin (340-41-0260)</p> <p>Table 271A: Designated Beneficial Uses Rogue Basin (340-41-0271)</p> <p>Table 286A: Designated Beneficial Uses Sandy Basin (340-41-0286)</p> <p>Table 300A: Designated Beneficial Uses South Coast Basin (340-41-0300)</p> <p>Table 310A: Designated Beneficial Uses Umatilla Basin (340-41-0310)</p> <p>Table 320A: Designated Beneficial Uses Umpqua Basin (340-41-0320)</p> <p>Table 330A: Designated Beneficial Uses Walla Walla Basin (340-41-0330)</p> <p>Table 340A: Designated Beneficial Uses Willamette Basin</p> <p>Att. 3: Maps:</p> <p>Figure 130A: Fish Use Designations, Deschutes Basin, Oregon</p> <p>Figure 130B: Salmon and Steelhead Spawning Use Designations, Deschutes Basin, Oregon</p> <p>Figure 151A: Fish Use Designations, Grande Ronde Basin, Oregon</p> <p>Figure 151B: Salmon and Steelhead Spawning Use Designations, Grand Ronde Basin, Oregon</p> <p>Figure 160A: Fish Use Designations, Hood Basin, Oregon</p>

DOC. NO.	DATE	DOCUMENT
Con't.		<p>Figure 160B: Salmon and Steelhead Spawning Use Designations, Hood Basin, Oregon</p> <p>Figure 170A: Fish Use Designations, John Day Basin, Oregon</p> <p>Figure 170B: Salmon and Steelhead Spawning Use Designations, John Day Basin, Oregon</p> <p>Figure 180A: Fish Use Designations, Klamath Basin, Oregon</p> <p>Figure 201A: Fish Use Designations, Malheur River Basin, Oregon</p> <p>Figure 220A: Fish Use Designations, Mid Coast Basin, Oregon</p> <p>Figure 220B: Salmon and Steelhead Spawning Use Designations, Mid Coast Basin, Oregon</p> <p>Figure 230A: Fish Use Designations, North Coast Basin, Oregon</p> <p>Figure 230B: Salmon and Steelhead Use Designations, North Coast Basin, Oregon</p> <p>Figure 260A: Fish Use Designations, Powder Basin, Oregon</p> <p>Figure 271A: Fish Use Designations, Rogue Basin, Oregon</p> <p>Figure 271B: Salmon and Steelhead Spawning Use Designations, Rogue Basin, Oregon</p> <p>Figure 286A: Fish Use Designations, Sandy Basin, Oregon</p> <p>Figure 286B: Salmon and Steelhead Spawning Use Designations, Sandy Basin, Oregon</p> <p>Figure 300A: Fish Use Designations, South Coast Basin, Oregon</p> <p>Figure 300B: Salmon and Steelhead Spawning Use Designations, South Coast Basin, Oregon</p> <p>Figure 310A: Fish Use Designations, Umatilla Basin, Oregon</p> <p>Figure 310B: Salmon and Steelhead Spawning Use Designations, Umatilla Basin, Oregon</p> <p>Figure 320A: Fish Use Designations, Umpqua Basin, Oregon</p> <p>Figure 320B: Salmon and Steelhead Spawning Use Designations, Umpqua Basin, Oregon</p> <p>Figure 340A: Fish Use Designations, Willamette Basin, Oregon</p> <p>Figure 340B: Salmon and Steelhead Spawning Use Designations, Willamette Basin, Oregon</p>
7	12/10/03	Letter to John Iani, EPA, from Larry Knudsen, Oregon Department of Justice, re: Certification of Water Quality Standard Amendment
8	12/9/03	Secretary of State, Certificate and Order for Filing, Permanent Administrative Rules
9	11/25/03	Memorandum to Environmental Quality Commission, from Stephanie Hallock, re: Additional Materials for Agenda Item D: Water Quality Standards, including Temperature Criteria

DOC. NO.	DATE	DOCUMENT
10	11/13/03	<p>Memorandum to Environmental Quality Commission from Stephanie Hallock, Director, re: Agenda D, Rule Adoption: Water Quality Standards, including Temperature Criteria, OAR Chapter 340, Div. 41, 12/4/03</p> <p>Att. A1: DEQ Water Pollution Division 41 Water Quality Standards: Beneficial Uses, Policies, and Criteria for Oregon</p> <p>Att. A2: DEQ Water Pollution Division 41 State-wide Water Quality Plan; Beneficial Uses, Policies, Standards, and Treatment Criteria for Oregon</p> <p>Att. B: Division 41 Revisions, Response to Public Comments (November 10, 2003)</p> <p>Att. C1: Summary of DEQ's Water Quality Standards, Policy Advisory Committee Discussions on the Temperature Standard</p> <p>Att. C2: Summary of the Discussion and Findings of DEQ's Technical Advisory Committee on Water Quality Criteria for Temperature</p> <p>Att. D: Memorandum to Michael Llewelyn, Water Quality Administrator, from Mark Charles, Presiding Officer, re: Presiding Officer's Report for Public Hearing, Title of Proposal: Rulemaking Proposal—Adoption of OAR 340-041 State Water Quality Standards, Including Temperature Criteria, October 16, 2003</p> <p>Att. E: Relationship to Federal Requirements</p> <p>Att. F: DEQ Chapter 340, Proposed Rulemaking, Statement of Need and Fiscal and Economic Impact</p> <p>Att. G: State of ODEQ Rulemaking Proposal for Water Quality Standards—Temperature and Intergravel Dissolved Oxygen</p> <p>Att. H: Description of the Information and Methods Used to Delineate the Proposed Beneficial Fish Use Designations for Oregon's Water Quality Standards</p>
I.C. Correspondence on Oregon's Revised Standards & Public Process		
11	3/2/04	Letter to Nina Bell, Executive Director, Northwest Environmental Advocates, re: Revised Oregon Water Quality Standards
12	3/1/04	Detailed Information on Public Process Activities for: April 2003 EPA Regional Temperature Guidance, EPA Proposed Federal Water Quality Standards for Oregon, 2003 Oregon Water Quality Standards Rulemaking
13	2/24/04	<p>Letter to Randy Smith, Director, Office of Water, R10, from Olney Patt, Jr., Columbia River Inter-Tribal Fish Commission, re: Concern over the Review Process of Oregon's Water Quality Standards</p> <p>Att. A: Technical Comments and Concerns</p>

DOC. NO.	DATE	DOCUMENT
14	2/10/04	Electronic letter to Randy Smith, Director, Office of Water, R10, and Michael Crouse, Assistant Regional Administrator, Habitat Conservation Division, National Marine Fisheries Service, from Melissa Powers, Stephanie Parent, Pacific Environmental Advocacy Center
15	12/18/03	Letter to Mr. James L. Connaughton, Chair, Council on Environmental Quality, from John Ledger, Associated Oregon Industry
16	10/3/03	Letter to Ms. Smith, ODEQ, from Nina Bell, Northwest Environmental Advocates, re: Proposed Revision of Division 41 Water Quality Standards: Beneficial Uses, Policies, and Criteria for Oregon
17	10/3/03	Letter to Emily Smith, ODEQ, from Michael J. Farrow, Director, Confederated Tribe of the Umatilla Indian Reservation
18	10/3/03	<p>Letter to Michael Llewelyn, ODEQ, from Olney Patt, Jr., Columbia River Inter-Tribal Fish Commission, re: Comments on the Revision of Water Quality Criteria for Temperature (OAR Chapter 340, Division 041)</p> <p>Att. 1: Appendix A: Rule Amendments Made without Notice of Intended Action</p> <p>Att. 2: Appendix B: Technical Comments</p> <p>Att. 3: Appendix C: Proposal for Rectifying Some Problems with the ODEQ Standard</p> <p>Att. 4: Appendix D: Quotations from EPA Regional Guidance</p>
19	10/3/03	Letter to Michael T. Llewelyn, ODEQ, from Randy Smith, EPA, re: Comments on Oregon's Proposed Revisions to OAR Division 41, Water Quality Standards: Beneficial Uses, Policies and Criteria for Oregon
20	10/2/03	Letter to Ms. Emily Smith, ODEQ, from Kemper M. McMaster, USFWS, Portland, OR
21	10/2/03	Letter to Mike Llewelyn, ODEQ, from Michael Tehan, Oregon State Director, Habitat Conservation Division, NOAA
22	8/7/03	Memorandum to Mark Charles and Mike Llewelyn, from Nina Bell, re: Temperature Standards
23	8/1/03	Pacific Coast Federation of Fishermen's Associations (PCFFA) and Institute for Fisheries Resources (IFR) Comments to Draft #5 (July 28, 2003), ODEQ Water Pollution Division 41, Water Quality Standards: Beneficial Uses, Policies, and Criteria for Oregon, Prepared by PCFFA and IFR for Oregon ODEQ Staff.
24	7/16/03	Electronic letter to Mike Llewelyn, Administrator, Water Quality Division, ODEQ, from Nina Bell, Northwest Environmental Advocates, re: 1999-2002 Triennial Review of Water Quality Standards: Re-write of Division 41 Rules, Temperature and Turbidity standards
I.D. Public Comments on EPA's Proposed Rule		
25	11/10/03	Email to Valerie Badon, EPA, from Gary Asbridge, Mt. Hood National Forest, re: Specific Comments on Draft Oregon Water Temperature Rule

DOC. NO.	DATE	DOCUMENT
26	11/10/03	<p>Electronic letter to Valerie Badon, EPA, from Jeff J. Barry, Boise Cascade Corp., re: Boise Cascade Comments Regarding Proposed Change to Oregon Water Quality Standards</p> <p>Att. 1: Electronic letter to John Palmer, EPA, from William A. Dryden, Boise Cascade Corp, re: Review of Draft EPA Region 10 Guidance for Pacific Northwest State and Tribal Temperature Water Quality Standards (Second Public Review Draft Oct. 10, 2002)</p>
27	11/10/03	<p>Electronic letter to Michael Leavitt, Administrator, U.S. EPA, from Nina Bell on behalf of 74 organizations nationwide re: EPA Promulgation of Oregon Water Quality Standards</p>
28	11/10/03	<p>Electronic letter to Valerie Badon, EPA, from Nina Bell, Executive Director, Northwest Environmental Advocates, re: Proposed Part 131 - Oregon Water Quality Standards, 40 CFR 131.39, 68 Fed. Reg. 58758 (Oct. 10, 2003)</p>
29	11/10/03	<p>Letter to Valerie Badon, EPA, from Rick Eichstaedt, Staff Attorney, Nez Perce Tribal Executive Committee, re: Docket No. OW-2003-0068</p>
30	11/10/03	<p>Letter to Valerie Badon, EPA, from Katie Fast, Associate Director of Government Affairs, Oregon Farm Bureau Federation, re: Water Quality Standards for Oregon</p>
31	11/10/03	<p>Electronic letter to Valerie Badon, EPA, from Janet Gillaspie, Executive Director, Oregon Association of Clean Water Agencies, re: Comments on Draft Water Quality Standards for Oregon 40 CFR Part 131</p>
32	11/10/03	<p>Letter to Valerie Badon, EPA, from Allen C. Shewy, Kennedy/Jenks Consultants on behalf of the City of Hermiston, re: Comments on Draft Water Quality Standards for Oregon 40 CFR Part 131 Docket ID No. OW-2003-0068</p>
33	11/10/03	<p>Electronic letter to Valerie Badon, EPA, from Gayle Killam, re: EPA's Draft Rules for Oregon, 40 CFR 131.39</p>
34	11/10/03	<p>Electronic letter to Valerie Badon, EPA, from Jeff Light, Plum Creek Timber Company, re: Review of EPA's Water Quality Standards for Oregon</p> <p>Att. 1: Letter to Emily Smith, ODEQ, from Jeff Light, Plum Creek Timber Company, re: Plum Creek's Comments on ODEQ's Proposed Changes to Oregon's Water Quality Standard (10/3/03)</p>
35	11/10/03	<p>Letter to Valerie Badon, EPA, from Robert Ramig, Mayor, City of Pendleton, re: Comments on Draft Water Quality Standards for Oregon 40 CFR Part 131, Docket No. OW-2003-0068</p>
36	11/10/03	<p>Letter to Valerie Badon, EPA, from John P. Sample, Senior Counsel, Hydro Licensing, re: Comments on the Proposed Water Quality Standards for Oregon</p> <p>Att. 1: Memo re: Waiver Request for North Fork Diversion Dam, Prospect 1, 2, and 4, and Hydroelectric Project–Net Benefit Analysis</p> <p>Att. 2: North Umpqua Hydroelectric Project Evaluation Report and Finding</p>

DOC. NO.	DATE	DOCUMENT
37	11/10/03	Email to Valerie Badon, EPA, from David Bailey for Thompson Creek Mining Company, re: Comments of Thompson Creek Mining Company to the Proposed Water Quality Standards (Temperature) for Oregon for the Protection of Salmonids
38	11/10/03	Letter to Valerie Badon, EPA, from William C. Tiffany, Senior Staff Associate, League of Oregon Cities, re: Comments Regarding Agency's Draft Water Quality Standards for Oregon 40 CFR Part 131
39	11/10/03	Letter to Valerie Badon, EPA, from Richard Wallace, Manager, Water Quality Program, re: WDOE Comments on Draft Water Quality Standards for Oregon
40	11/7/03	Letter to Valerie Badon, EPA, from J. William McDonald, Regional Director, U.S. Dept. of Interior, re: Comments on Proposed Rule, Water Quality Standards for Oregon
41	11/7/03	Letter to Valerie Badon, EPA, from Karen M. Skiles, City of the Dalles, Dept. of Public Works, re: Draft Water Quality Standards for Oregon 40 CFR Part 131
42	11/7/03	Letter to John Iani, EPA, from Olney Patt, Jr. Columbia River Inter-Tribal Fish Commission, re: Comments on EPA's Proposed Rule for Water Quality Standards in the State of Oregon (EPA Oregon Rule) Att. A: Comments on the Revision of Water Quality Criteria for Temperature (10/3/03) Att. B: Staff Technical Comments
43	11/7/03	Email to Valerie Badon, EPA, from Ivars Steinblums, Mt. Hood National Forest, re: Specific Comments on Draft EPA Water Temperature Rule
44	11/7/03	Electronic letter to Valerie Badon, EPA, from Rosemary Menard, Director, Portland Water Bureau, re: Proposed Rule on Water Quality Standards for Oregon, 40 CFR Part 131
45	11/7/03	Letter to Valerie Badon, EPA, from Frank Tiwari, City of Woodburn, OR, re: City of Woodburn's Comments on Draft Water Quality Standards for Oregon Att. 1: Pudding River Water Quality Report, TMDL Program, Aug. 1993
46	11/6/03	Letter to Valerie Badon, EPA, from Keith Hanson, Vice Chair, Water Quality Committee, Utility Water Act Group, re: Comments of the Utility Water Act Group on Proposed Federal Water Quality Standards for Oregon 68 Fed. Reg. 58,757 (October 10, 2003)
47	11/5/03	Electronic letter to Valerie Badon, EPA, from Pat Larson, Science and Natural Resource Advisor, and Susan Hammond, Water Committee Chair, Oregon Cattlemen's Association, re: Oregon Cattlemen's Association Comments re: Water Quality Standards for Oregon
48	11/5/03	Letter to Valerie Badon, EPA, from Llewellyn Matthews, Executive Director, Northwest Pulp and Paper Association, re: Comments Regarding EPA 10 Proposed Water Quality Rules for the State of Oregon Att. 1: Northwest Pulp and Paper Association Comments on EPA 10 Proposed Water Quality Standards for the State of Oregon, Amending Federal Regulations to Add 40 CFR 131.39

DOC. NO.	DATE	DOCUMENT
49	11/5/03	Letter to Valerie Badon, EPA, from Michael J. McCann, Eugene Water and Electric Board, re: Comments on Proposed 40 CFR Part 131, Establishing Water Quality Standards for Oregon
50	11/5/03	<p>Letter to Valerie Badon, EPA, from Paul Wiegand, Regional Manager, National Council for Air and Stream Improvement, Inc. (NCASI), re: Comments on Proposed Water Quality Standards for Oregon</p> <p>Att. 1: Assessment of the Potential for Warm Effluent from Pulp and Paper Mills to Harm Temperature Sensitive Salmonids, Prepared by Paul Wiegand and Brad Upton (2/21/02)</p> <p>Att. 2: Effect of Thermal Shock on Vulnerability of Juvenile Salmonids to Predation, Prepared by Charles C. Coutant</p> <p>Att. 3: Memo to Lleyllen Matthew (NWPPA), Cathy Feole (NWPPA), and Paul Wiegand (NCASI)</p> <p>Att. 4: Electronic Tags and Related Tracking Techniques Aid in Study of Migrating Salmon and Steelhead Trout in the Columbia River Basin, by Gerald E. Monan, James H. Johnson, and Gordon F. Esterberg</p> <p>Att. 5: Evaluating Laboratory-Derived Thermal Criteria in the Field: An Example Involving Bonneville Cutthroat Trout, by Amy J. Schrank, Frank J. Rahel, and Helene C. Johnstone</p> <p>Att. 6: Letter to John Palmer, EPA, from Llewellyn Matthews, Executive Director (unsigned), re: Comments on the Draft EPA Region 10 Guidance for State and Tribal Temperature Water Quality Standards (Public Review Draft, October 2001)</p>
51	10/31/03	<p>Letter to Valerie Badon, EPA, from Dr. George Ice, National Council for Air and Stream Improvement, Inc (NCASI). re: Comments Directed at Proposed Water Quality Standards for Oregon</p> <p>Att. 1: Abstract: Use of Natural Temperature Patterns to Identify Achievable Stream Temperature Criteria for Forest Streams</p> <p>Att. 2: Letter to Emily Smith, ODEQ, from Dr. George Ice, NCASI (10/3/03)</p>
52	10/24/03	Transcript: EPA Public Hearing, Proposed Federal Water Quality Standards for Oregon
53	10/23/03	Transcript: EPA Public Hearing, Proposed Federal Water Quality Standards for Oregon
54	10/22/03	Transcript: EPA Public Hearing, Proposed Federal Water Quality Standards for Oregon
I.E. ESA and EFH Consultation on EPA's Approval of Oregon's Revised Standards		
55	3/04	Data Quality Assurance Report: Biological Evaluation of the Revised Oregon Water Quality Standards for Temperature, Intergravel Dissolved Oxygen, and Antidegradation, prepared for EPA by Tetra Tech, Inc.

DOC. NO.	DATE	DOCUMENT
56	2/25/04	<p>Letter to Randall F. Smith, EPA, from Kemper M. McMaster, USFWS, re: Transmittal of Fish and Wildlife Service Biological Opinion on the Effects of the Proposed Approval by the U.S. EPA of Revised Oregon Water Quality Standards</p> <p>Att. 1: Fish and Wildlife Service Biological Opinion for EPA's Proposed Approval of Revised Oregon Water Quality Standards for Temperature, Intergravel Dissolved Oxygen, and Antidegradation, February 24, 2004</p>
57	2/24/04	<p>Letter to Michael Tehan, NMFS, from Randall F. Smith, R10, re: Response to Essential Fish Habitat (EFH) Conservation Recommendations Provided by the NMFS as part of the Biological Opinion on EPA's Approval of Revised Water Quality Standards for Oregon</p>
58	2/23/04	<p>Letter to Randall F. Smith, from D. Robert Lohn, re: Biological Opinion on EPA's Proposed Approval of Revised Oregon Water Quality Standards for Temperature, Intergravel Dissolved Oxygen, and Antidegradation Implementation Methods</p> <p>Att. 1: Endangered Species Act - Section 7 Consultation Biological Opinion and Magnuson-Stevens Fishery Conservation and Management Act Essential Fish Habitat Consultation</p>
59	2/20/04	<p>Email from Elizabeth Materna, USFWS, to Kellie Kubena, EPA</p> <p>Att. 1: Mt. Hood Revised Draft Recovery Plan</p>
60	2/18/04	<p>Email from Elizabeth Materna, USFWS, to Kellie Kubena, EPA, re: Bull Trout in the McKenzie</p> <p>Att. 1: Bull Trout Population Monitoring in the McKenzie and Middle Fork Willamette Rivers, Annual Progress Report, 2002, prepared by Jason Seals, Kelly Reis, U.S. Dept. of Energy, Portland, Oregon</p>
61	2/18/04	<p>Email from Elizabeth Materna, USFWS, to Kellie Kubena, EPA, re: Upper McKenzie Redd Survey</p> <p>Att. 1: Upper McKenzie Redd Count Bull Trout and Chinook 7 October 2003</p>
62	2/18/04	<p>Email from Elizabeth Materna, USFWS, to Kellie Kubena, EPA, re: McKenzie Bull Trout Redd Counts 2003</p> <p>Att. 1: Counts for Bull Trout Redds in the McKenzie 89-03</p>
63	2/10/04	<p>Letter to Randall F. Smith, Director, Water Division, EPA, from D. Robert Lohn, Regional Administrator, NMFS, re: Draft Biological Opinion on EPA's Proposed Approval of Revised Oregon Water Quality Standard for Temperature, Intergravel Dissolved Oxygen, and Antidegradation Implementation Methods</p>

DOC. NO.	DATE	DOCUMENT
64	2/4/04	<p>Letter to Michael Tehan, NMFS, and Kemper McMaster, USFWS, from Randall Smith, EPA, re: Transmittal of Biological Evaluation of the Revised Oregon Water Quality Standards</p> <p>Att. 1: Biological Evaluation of the Revised Oregon Water Quality Standards for Temperature, Intergravel Dissolved Oxygen, and Antidegradation, Amended Final, prepared for USFWS and NMFS by EPA, Region 10</p>
65	1/30/04	<p>Letter to Michael Tehan, NMFS, from Randall Smith, EPA, re: Transmittal of Essential Fish Habitat Assessment of EPA's Approval of Oregon Water Quality Standards</p> <p>Att. 1: Essential Fish Habitat Assessment of U.S. EPA's Approval of Oregon Water Quality Standards, Prepared for NMFS by EPA Region 10</p>
66	1/20/04	Email from Debra Sturdevant, ODEQ, re: comment on BA - disease, to Dru Keenan, John Palmer, EPA
67	1/13/04	Email between Dru Keenan and Elizabeth Materna, re: Modoc Sucker
68	1/9/04	<p>Letter to Michael Tehan, NMFS, and Kemper McMaster, USFWS, from Randall Smith, re: Transmittal of 12/16/03 Biological Evaluation of the Revised Oregon Water Quality Standards for Temperature, Intergravel Dissolved Oxygen, and Antidegradation</p> <p>Att. 1: Biological Evaluation of the Revised Oregon Water Quality Standards for Temperature, Intergravel Dissolved Oxygen, and Antidegradation prepared for USFWS and NMFS by EPA, Region 10 December 16, 2003</p>
69	8/29/03	Letter to Mr. Steve G. Ellis, Tetra-Tech, Inc., EPA Contractor, from Michael P. Tehan, NMFS, re: Species List for Consultation on Water Quality Standards for State of Oregon
70	7/23/03	Letter to Mary Lou Soscia, EPA, from Kemper M. McMaster, USFWS, re: Federal Water Quality Standards Project
71	4/31/99	Final Report: Stream Temperature Criteria for Oregon's Lahontan Cutthroat Trout, <i>Oncorhynchus clarki henshawi</i> , by Jason Dunham, University of Nevada
72	1/95	USFWS, Region 1, Recovery Plan for the Lahontan Cutthroat Trout
73	6/11/85	Federal Register/Vol 50, No. 112/Tuesday, June 11, 1985/ Rules and Regulations, Department of the Interior, Fish and Wildlife Service, 50 CFR Part 17, Endangered and Threatened Wildlife and Plants; Determination of Endangered Status and Critical Habitat for the Modoc Sucker, page 24526
74	Undated	US Dept Commerce, NOAA, NWFSC, Tech memo-27: Status Review of West Coast Steelhead
II. EPA PROPOSED RULE AND PREAMBLE		
75	10/10/03	Environmental Protection Agency Proposed Rule and Preamble: Water Quality Standards for Oregon, 40 CFR Part 131

DOC. NO.	DATE	DOCUMENT
76	10/2003	<p>Salmonid Designation Use Maps:</p> <p>Att. 1: Salmonid Use Designations, Deschutes Basin, Oregon</p> <p>Att. 2: Salmon, Steelhead & Bull Trout Spawning through Fry Emergence Use Designations, Deschutes Basin, Oregon</p> <p>Att. 3: Salmonid Use Designations, Grande Ronde Basin, Oregon</p> <p>Att. 4: Salmon, Steelhead & Bull Trout Spawning through Fry Emergence Use Designations, Grande Ronde Basin, Oregon</p> <p>Att. 5: Salmonid Use Designations, Hood Basin, Oregon</p> <p>Att. 6: Salmon, Steelhead & Bull Trout Spawning through Fry Emergence Use Designations, Hood Basin, Oregon</p> <p>Att. 7: Salmonid Use Designations, John Day Basin, Oregon</p> <p>Att. 8: Salmon, Steelhead & Bull Trout Spawning through Fry Emergence Use Designations, John Day Basin, Oregon</p> <p>Att. 9: Salmonid Use Designations, Klamath Basin, Oregon</p> <p>Att. 10: Salmonid Use Designations, Mid-Coast Basin, Oregon</p> <p>Att. 11: Salmon & Steelhead Spawning through Fry Emergence Use Designations, Mid-Coast Basin, Oregon</p> <p>Att. 12: Salmonid Use Designations, North Coast Basin, Oregon</p> <p>Att. 13: Salmon & Steelhead Spawning through Fry Emergence Use Designations, North Coast Basin, Oregon</p> <p>Att. 14: Salmonid Use Designations, Powder and Malheur Basins, Oregon</p> <p>Att. 15: Salmonid Use Designations, Rogue Basin, Oregon</p>

DOC. NO.	DATE	DOCUMENT
cont'd.	10/2003	<p>Att. 16: Salmon & Steelhead Spawning through Fry Emergence Use Designations, Rogue Basin, Oregon</p> <p>Att. 17: Salmonid Use Designations, Sandy Basin, Oregon</p> <p>Att. 18: Salmon & Steelhead Spawning through Fry Emergence Use Designations, Sandy Basin, Oregon</p> <p>Att. 19: Salmonid Use Designations, South Coast Basin, Oregon</p> <p>Att. 20: Salmon & Steelhead Spawning Through Fry Emergence Use Designations, South Coast Basin, Oregon</p> <p>Att. 21: Salmonid Use Designations, Umatilla/Walla Walla Basin, Oregon</p> <p>Att. 22: Salmon, Steelhead & Bull Trout Spawning Through Fry Emergence Use Designations, Umatilla/Walla Walla Basin, Oregon</p> <p>Att. 23: Salmonid Use Designations, Umpqua Basin, Oregon</p> <p>Att. 24: Salmon & Steelhead Spawning Through Fry Emergence Use Designations, Umpqua Basin, Oregon</p> <p>Att. 25: Salmonid Use Designations, Willamette Basin, Oregon</p> <p>Att. 26: Salmon, Steelhead & Bull Trout Spawning Through Fry Emergence Use Designations, Willamette Basin, Oregon</p>
77	10/2003	EPA Fact Sheet: Oregon Water Quality Standards

III. GENERAL BACKGROUND DOCUMENTS

78	9/29/03	Letter to Michael Llewelyn, ODEQ, September 29, 2003, re: Disapproval Decision
79	9/5/03	Letter to Randall Smith, EPA, from Michael Llewelyn, ODEQ, re: Spawning in Columbia River
80	8/13/03	<i>Northwest Environmental Advocates v. EPA & NMFS</i> , Final Judgment, August 13, 2003
81	7/14/03	<i>Northwest Environmental Advocates v. EPA & NMFS</i> , Opinion and Order, July 14, 2003. re: Motion for Further Injunctive Relief
82	6/11/03	<i>Northwest Environmental Advocates v. EPA & NMFS</i> , Opinion and Order, June 11, 2003. re: Motion for Clarification
83	3/31/03	<i>Northwest Environmental Advocates v. EPA & NMFS</i> , 268 F.Supp.2d 1255 (D. Or., Mar. 31, 2003). Re: Summary Judgment
84	11/00	U.S. EPA, Ambient Aquatic Life Water Quality Criteria for Dissolved Oxygen (Saltwater): Cape Cod to Cape Hatteras, Office of Water, Office of Science and Technology and Office of Research and Development, National Health and Environmental Effects Research Laboratory EPA-822 R- 00-012
85	7/22/99	Letter to Michael Llewelyn, ODEQ, from Randall Smith, EPA, July 22, 1999, re: EPA Approval of Oregon Water Quality Standards Adopted on January 11, 1996

DOC. NO.	DATE	DOCUMENT
86	7/21/99	Memorandum to Randy Smith, EPA, from Dru Keenan, EPA, re: Recommended Action
87	7/7/98	Federal Register/Tuesday, July 17, 1998, Water Quality Standards Regulation; Proposed Rule, 40 CFR Part 131
88	2/19/98	Letter to Gary R. Mitchell, Kansas Department of Health and Environment, from U. Gale Hutton, EPA, February 19, 1998, re: Kansas Water Quality Standards Att.1: Enclosure A, National Toxics Rule Criteria
89	11/5/97	Memorandum to Water Management Division Directors, Regions 1-10, and State and Tribal Water Quality Management Program Directors, from Tudor T. Davies, Office of Science and Technology, re: Establishing Site Specific Aquatic Life Criteria Equal to Natural Background
90	6/95	ODEQ 1992-1994 Water Quality Standards Review, Dissolved Oxygen Final Issue Paper
91	8/94	U.S. EPA Water Quality Standards Handbook, EPA-823-B94005a Att.1: Appendixes, EPA-823-B94005b. 1994
92	11/8/93	U.S. EPA, 1983, 48 Federal Register, pgs. 51400, 51411
93	3/91	U.S. Environmental Protection Agency, Technical Support Document for Water Quality-based Toxics Control, EPA 505/2-90-001
94	1986	U.S. EPA Quality Criteria for Water, EPA 440/5-86-001, 1986, Temperature Section
95	1972	Water Quality Criteria 1972 A Report of the Committee on Water Quality Criteria, Environmental Studies Board, National Academy of Sciences. U.S. Environmental Protection Agency. EPA.R3.73, pg. i-xvii &151-171

IV. FEDERAL and STATE USE DESIGNATIONS AND TEMPERATURE CRITERIA

Time and Place Designations-Technical References		
96	10/03	A Salmon Anchor Habitat Strategy for the Tillamook and Clatsop State Forests, October 2000
97	9/25/03	Email from Elizabeth Materna, USFWS, to EPA, September 25, 2003. re: Bull Trout Spawning Criteria
98 disc	9/16/03	Oregon Department of Fish and Wildlife Database for Fish Distribution, compact disc
99	7/03	ODEQ Bull Trout Habitat Designation Report: Technical Work Group Recommendations, Final (July 2003)
100	11/29/02	Dept. of the Interior, Proposed Designation of Critical Habitat for the Klamath River and Columbia River Distinct Population Segments of Bull Trout and Notice of Availability of the Draft Recovery Plan <u>Spawning and Juvenile Rearing</u> , 67 Fed. Reg. 71236, November 29, 2002
101	2/26/02	Oregon Department of Fish and Wildlife, 1:24K Fish Habitat Distribution Development Project Procedures Manual

DOC. NO.	DATE	DOCUMENT
102	3/01	Ecotrust Salmon Restoration Program, Method and Justification for Whole-basin Snorkel Counts, Charles Dewberry, March 2001
103	9/93	Rieman, B. E. and McIntyre, J. D. 1993. Demographic and Habitat Requirements for Conservation of Bull Trout, Ogden, UT, U.S. Department of Agriculture, Forest Service, Intermountain Research Station
Temperature Guidance and References		
104	4/03	U.S. EPA Region 10 Guidance for Pacific Northwest State and Tribal Temperature Water Quality Standards, April 2003, EPA 910-B-03-002
105	1/03	Simpson, Manette. 2003. Temperature Study in the John Day River Basin for 2001, Final
106	2003	Ebersole, Joseph L., Liss, William J., and Frissell, Christopher A. 2003. Thermal Heterogeneity, Stream Channel Morphology, and Salmonid Abundance in Northeastern Oregon Streams, Canadian Journal of Fisheries & Aquatic Science, Vol. 60. 2003
107	12/02	Washington Department of Ecology (WDOE). December 2002. Evaluating Standards for Protecting Aquatic Life in Washington's Surface Water Quality Standards, Temperature Criteria, Draft Discussion Paper and Literature Summary
108	9/19/02	Myrick, Christopher A., et al. Sept. 19, 2002. Bull Trout Temperature Thresholds Peer Review Summary
109	7/9/02	U.S. EPA Proposed Recommendations, July 9, 2002
110	7/3/02	U.S. EPA Bull Trout Peer Review Questions, July 3, 2002
111	2002	Chapman, D. W. 2002. Review of Proposed Regional Temperature Criteria, Report to Idaho Department of Environmental Quality, Contract Number C165, BioAnalysts, Inc.
112	2002	Idaho Department of Environmental Quality (IDEQ). 2002. Dissenting Opinion on Biological Threshold Numbers Proposed by Regional Temperature Criteria Development Technical Workgroup
113	2002	Johnson, L. Sherri, et al. Dec. 3, 2002. Summary of Scientific Peer Review Discussion Concerning US EPA Region 10 Guidance for Stream Temperature Water Quality Standards
114	2000	ODEQ. 2000. Upper Grande Ronde River Sub-basin, TMDL
115	2002	McCullough, D. and Spaulding, S. June 27, 2002. Multiple Lines of Evidence for Determining Upper Optimal Temperature Thresholds for Bull Trout
116	11/30/01	Dunham, J., Rieman, B., and Chandler, G. 2001. Development of Field-based Models of Suitable Thermal Regimes for Interior Columbia Basin Salmonids, Interagency Agreement #00-IA-11222014-521, Final Report to EPA Region 10
117	10/01	U.S. EPA Issue Paper 3: Spatial and Temporal Patterns of Stream Temperature, Prepared as Part of EPA Region 10 Temperature Water Quality Criteria Guidance Development Project, EPA-910-D-01-003, Oct. 2001

DOC. NO.	DATE	DOCUMENT
118	8/21/01	Snyder, Eric B. and Stanford, Jack A., 2001. Review and Synthesis of River Ecological Studies in the Yakima River, Washington, with Emphasis on Flow and Salmon Habitat Interactions, Final Report
119	8/01	U.S. EPA Technical Synthesis: Scientific Issues Relating to Temperature Criteria for Salmon, Trout, and Char Native to the Pacific Northwest: A Summary Report Submitted to the Policy Workgroup of the EPA Region 10 Water Temperature Criteria Guidance Project, EPA-910-D-01-007
120	6/01	Bauer, Stephen B. and Ralph, Stephen C. 2001. Strengthening the Use of Aquatic Habitat Indicators in Clean Water Act Programs, Fisheries Vol. 26, no. 6
121	5/01	U.S. EPA Issue Paper 1: Salmonid Behavior and Water Temperature, Prepared as Part of EPA Region 10 Temperature Water Quality Criteria Guidance Development Project, EPA-910-D-01-001, May 2001
122	5/01	U.S. EPA Issue Paper 2: Salmonids Distribution and Temperature, Prepared as Part of EPA Region 10 Temperature Water Quality Criteria Guidance Development Project, EPA-910-D-01-002, May 2001
123	5/01	U.S. EPA Issue Paper 4: Temperature Interaction, Prepared as Part of EPA Region 10 Temperature Water Quality Criteria Guidance Development Project, EPA-910-D-01-004, May 2001
124	5/01	U.S. EPA Issue Paper 5: Summary of Technical Literature Examining the Physiological Effects of Temperature on Salmonids, Prepared as Part of EPA Region 10 Temperature Water Quality Criteria Guidance Development Project, EPA-910-D-01-005, May 2001
125	2001	Haas, R. Gordon. 2001. The Mediated Associations and Preferences of Native Bull Trout and Rainbow Trout with Respect to Maximum Water Temperature, Its Measurement Standards, and Habitat
126	2001	Selong, J. H., McMahon, T.E., Zale, A. V., and Barrows, F. T. 2001. Effect of Temperature on Growth and Survival of Bull Trout, with Application of an Improved Method for Determining Thermal Tolerance in Fishes. Transactions of the American Fisheries Society, 130:1026-1037
127	2001	Welsh, H. Hartwell, et al. 2001. Distribution of Juvenile Coho Salmon in Relation to Water Temperatures in Tributaries of the Mattole River, California, North American Journal of Fisheries Management 21:464-470, 2001
128	2001	Ebersole, J.L., Liss, W.J., and Frissell, C.A. 2001. Relationship between Stream Temperature, Thermal Refugia and Rainbow Trout <i>Oncorhynchus mykiss</i> Abundance in Arid-land Streams in the Northwestern United States, Ecology of Freshwater Fish. 2001
129	2001	Poole, Geoffrey C. and Berman, Cara H. 2001. An Ecological Perspective on In-Stream Temperature: Natural Heat Dynamics and Mechanisms of Human-Caused Thermal Degradation, Environmental Management Vol. 27, No. 6, pp787-802
130	2000	Bartholow, J. M. 2000. Estimating Cumulative Effects of Clearcutting on Stream Temperatures, from Journal Rivers 7(4):284-297

DOC. NO.	DATE	DOCUMENT
131	2000	Independent Scientific Group. 2000. Return to the River 2000: Restoration of Salmonid Fishes in the Columbia River Ecosystem, Chapters 1, 3, 5, 7, NWPPC 2000-12, Northwest Power Planning Council, Portland, OR
132	2000	Sullivan, K., Martin, D. J., Cardwell, R.D., Tolls, J. E., and Duke, S. 2000. An Analysis of the Effects of Temperature on Salmonids of the Pacific Northwest with Implications for Selecting Temperature Criteria Sustainable Ecosystems Institute, Portland, OR
133	2000	Washington Department of Fish and Wildlife and Point No Point Treaty Tribes. 2000. Summer Chum Salmon Conservation Initiative, An Implementation Plan to Recover Summer Chum in the Hood Canal and Strait of Juan de Fuca Region
134	4/13/99	Dunham, J. 1999. Stream Temperature Criteria for Oregon's Lahontan Cutthroat Trout <i>Oncorhynchus clarki henshawi</i> - Final Report, prepared for ODEQ, Portland, OR
135	1999	Coutant, C. Charles. 1999. Perspectives on Temperature in the Pacific Northwest's Fresh Waters, prepared for the EPA, Region 10, Oak Ridge National Laboratory, ORNL/TM-1999/44
136	1999	McCullough, Dale A. 1999. A Review and Synthesis of Effects of Alterations to the Water Temperature Regime on Freshwater Life Stages of Salmonids, with Special Reference to Chinook Salmon, prepared for the EPA, Region 10, Columbia River Inter-Tribal Fish Commission
137	1999	Torgersen, Christian E., Price, David M. 1999. Multiscale Thermal Refugia and Stream Habitat Associations of Chinook Salmon in Northeastern Oregon
138	6/98	NMFS. 1998. Factors Contributing to the Decline of Chinook Salmon: An Addendum to the 1996 West Coast Steelhead Factors for Decline Report. Protected Resources Division, Portland, Oregon
139	1997	Lee, D.C., Sedell, J. R., Rieman, B.E., Thurow, R.F., Williams, J. E. 1997. Broadscale Assessment of Aquatic Species and Habitats. Pp. 1058-1496. In: T. M. Quigley and S. J. Arbelbide, eds. An Assessment of Ecosystem Components in the Interior Columbia Basin and Portions of the Klamath and Great Basins, U.S. Forest Service General Technical Report PNW-GTW-405, Portland, OR
140	1997	Myers, J. M., et al., West Coast Chinook Salmon Biological Review Team, 1997, Status Review of Chinook Salmon from Washington, Oregon, California and Idaho under the U.S. Endangered Species Act, U.S. Dept. of Commerce, NOAA Tech. Memo, NMFS-NWFSC-35
141	1997	Oregon Coastal Salmon Restoration Initiative - Final Plan. 1997. Chapter 17B, Section 1, Water Quality, Oregon Plan for Salmon and Watersheds
142	12/96	U.S. EPA NPDES Permit Writers' Manual.1996. EPA-833-B-96-003
143	9/10/96	Independent Scientific Group. 1996. Return to the River: Restoration of Salmonid Fishes in the Columbia River Ecosystem

DOC. NO.	DATE	DOCUMENT
144	1/8/96	Bishop, S., and Morgan, A. (eds). 1996. Critical Habitat Issues by Basin for Natural Chinook Stocks in the Coastal and Puget Sound areas of Washington State, Northwest Indian Fisheries Commission, Olympia, WA 105pp. (Available from Northwest Indian Fisheries Commission, 6730 Martin Way E, Olympia, WA 98506)
145	1996	NMFS. 1996. Factors for Decline, A Supplement to the Notice of Determination for West Coast Steelhead under the Endangered Species Act, Protected Resources Branch, Portland, Oregon
146	1995	ODEQ. 1995. 1992-1994 Water Quality Standards Review, Temperature Final Issue Paper
147	1991	Berman, C.H. and Quinn, T.P. 1991. Behavioural Thermoregulation and Homing by Spring Chinook Salmon, <i>Oncorhynchus tshawytscha</i> (Walbaum), in the Yakima River, <i>Journal of Fish Biology</i> (1991)39, 301-312
148	1991	Matthews, G. M. and Waples, R. S. 1991. Status Review for Snake River Spring and Summer Chinook Salmon, U.S. Dept. of Commerce, NOAA Tech. Memo. NMFS F/NWC-200
149	2/85	Theurer, F. D., Lines, I., and Nelson, T. 1985. Interaction between Riparian Vegetation, Water Temperature, and Salmonid Habitat in the Tucannon River, <i>Water Resources Bulletin</i> , 21(1):53-64
150	1973	Coutant, C. Charles. 1973. Effect of Thermal Shock on Vulnerability of Juvenile Salmonids to Predation, <i>Journal of Fisheries Research, Board of Canada</i> , 30(7):965-973
151	undated	Poole, Geoff. Types of Thermal Variability. Presentation to the Policy Committee of EPA's Temperature Project
152	undated	Ebersole, Joe. Thermally Heterogeneous Habitat for Northeast Oregon Stream Fishes. U.S. EPA National Health and Environmental Effects Research Laboratory, Western Ecology Division, Corvallis, OR
153	undated	Li, Hiram W., et al. Collaborative Research: Hydrolic, Geomorphic and Ecological Connectivity in Columbia River Watersheds: Implications for Endangered Salmonids. Jan. 1, 1996 - December 31, 1999
154	undated	Temperature Data Illustrating Thermal Variation around 7DADM Metric
V. Intergravel Dissolved Oxygen		
. Technical References		
155	1993	Maret, T. R., Burton, T. A., Harvey, G. W., and Clark, W. H. 1993. Field Testing of New Monitoring Protocols to Assess Brown Trout Spawning Habitat in an Idaho Steam, <i>No. Amer. J. of Fisheries Mgmt.</i> 13:567-580
156	1987	Chapman, D. W. and McLeod, K.P. 1987. Development of Criteria for Fine Sediment in the Northern Rockies Ecoregion, Final Report EPA, contract No. 68-01-6986. EPA910/9-87-162
157	1987	Rombough, P. J. 1987. Growth, Aerobic Metabolism, and Dissolved Oxygen Requirements of Embryos and Alevins of Steelhead, <i>Salmo gairdneri</i> , <i>Can. J. Zool.</i> 66: 651-660

DOC. NO.	DATE	DOCUMENT
158	1986	Rombough, P. J. 1986. Mathematical Model for Predicting the Dissolved Oxygen Requirements of Steelhead (<i>Salmo gairdneri</i>) Embryos and Alevins in Hatchery Incubators, Aquaculture 59:119-137
159	4/86	U.S. EPA. 1986. Ambient Water Quality Criteria for Dissolved Oxygen (Freshwater), Office of Water Regulations and Standards, Criteria and Standards Division, EPA 440/5-86-003
160	1985	Sowden, T. K. and Power, G. 1985. Prediction of Rainbow Trout Embryo Survival in Relation to Groundwater Seepage and Particle Size of Spawning Substrates. Trans. Am. Fish. Soc. 114:804-812
161	1985	Carson, K. A. 1985. A Model of Salmonid Egg Respiration. MS Colorado State University, Fort Collins, CO
162	1983	Reiser, D. W. and White, R. G. 1983. Effects of Complete Redd Dewatering on Salmonid Egg-Hatching Success and Development of Juvenile, Trans. Amer. Fish. Soc. 112:532-540
163	6/81	Hollender, B. A. 1981. Embryo Survival, Substrate Composition, and Dissolved Oxygen in Redds of Wild Brook Trout. M. S. Thesis, Univ. of Wisconsin
164	1980	Turnpenny, A. W. H. and Williams, R. 1980. Effects of Sedimentation on The Gravels of an Industrial River System, J. Fish. Biol. 17:681-693
165	1980	Carlson, A. R., Blocher, J., and Herman, L. J. 1980. Growth and Survival of Channel Catfish and Yellow Perch Exposed to Lowered Constant and Diurnally Fluctuating Dissolved Oxygen Concentration, Progressive Fish-Culturist, 42:73-78
166	1974	Carlson, A. R., and Siefert, R.E. 1974. Effects of Reduced Oxygen on the Embryos and Larvae of Lake Trout (<i>Salvelinus namaycush</i>) and Largemouth Bass (<i>Micropterus salmoides</i>), J. Fish Res. Bd., Canada, 31:1393-6
167	1974	Carlson, A. R. and Herman, L.J. 1974. Effects of Lowered Dissolved Oxygen Concentrations on Channel Catfish (<i>Ictalurus punctatus</i>) Embryos and Larvae, Trans. Amer. Fish. Soc. 103:623-6. In Welch, E.B. 1980. Ecological Effects of Waste Water, Cambridge: Cambridge University Press
168	1969	Mason, J. C. 1969. Hypoxial Stress Prior to Emergence and Competition Among Coho Salmon Fry. J. Fish. Res. Board Can. 26:63-91
169	1965	Brannon, E. L. 1965. The Influence of Physical Factors on the Development and Weight of Sockeye Salmon Embryos and Alevins, International Pacific Salmon Fisheries Commission, No. 12
170	1962	Phillips, R. W. and Campbell, H. J. 1962. The Embryonic Survival of Coho Salmon and Steelhead Trout as Influenced by Some Environmental Conditions in Gravel Beds, 14 th . Annual Rept. Pac. Mar. fish. Comm., Portland OR. pp60-73
171	1961	Coble, D. W. 1961. Influence of Water Exchange and Dissolved Oxygen in Redds on Survival of Steelhead Trout Embryos, Trans. Am. Fish. Soc. 90(4)

DOC. NO.	DATE	DOCUMENT
VI. Antidegradation Implementation Plan		
172	2003	Proposed Rule for ODEQ, Water Pollution, Division 41, Water Quality Standards: Beneficial Uses, Policies, and Criteria for Oregon, August, 2003
173	11/14/02	Federal Register: Proposed Rule for Kentucky, 67 FR 68,971 (Nov. 14, 2002)
174	3/01	State of Oregon: Antidegradation Policy Implementation Internal Management Directive for NPDES Permits and Section 401 Water Quality Certifications, March 2001
175	2001	<i>American Wildlands v. Browner</i> , 260 F.3d 1192, 1198 (10 th Cir. 2001)
176	11/00	<i>American Wildlands v. Browner</i> , 260 F.3d 1192, 1198 (10 th cir). Brief for Federal Defendants-Appellees
177	1993	Federal Register: Water Quality Guidance for the Great Lakes System and Correction; Proposed Rules (GLI) 58 FR 20802, April 16, 1993
178	8/85	Questions and Answers on Antidegradation, Aug. 1985; Appendix A to Chapter 2 - General Program Guidance (antidegradation) of the Water Quality Standards Handbook, Dec. 1983
179	1976	<i>Appalachian Power Company v. Train</i> , 545 F.2d 1351, 1373 (4 th Cir. 1976)
180	undated	Supplementary Information Document for the Final Great Lakes Guidance, Chapter VII at 203-225, 207-210
VII. Alternative Regulatory Approaches and Implementation Mechanisms		
Heat Load and Thermal Plume Provisions		
181	4/03	Mebane, Christopher and Essig, Don. Idaho Department of Environmental Quality, Concepts and Recommendations for Using the "Natural Condition" Provisions of the Idaho Water Quality Standards, Measurable Changes Section, pp. 14-18, April 2003
182	7/99	Water Quality Monitoring Technical Guide Book, Oregon Plan for Salmon and Watersheds, July 1999
183	5/91	Monitoring Guidelines to Evaluate Effects of Forestry Activities on Streams in the Pacific Northwest and Alaska, EPA/910/9-91-001, May 1991
184	7/21/03	Memorandum to Water Division Directors, Reg. 1 -10, from Diane Regas, Office of Wetlands, Oceans, and Watersheds, re: Guidance for 2004 Assessment, Listing and Reporting Requirements Pursuant to Sections 303(d) and 305(b) of the Clean Water Act; TMDL-01-03
185	4/91	Guidance for Water Quality-Based Decisions: The TMDL Process, EPA 440-4-91-001, April 1991
VIII. Tribal Consultation		
Guidance and Correspondence		
186	8/28/03	Letter to Dean Adams, Chair, Burns Paiute Tribe General Council, from L. John Iani, Region 10 RA, re: Coordination and Consultation on Oregon Federal Water Quality Standards, August 28, 2003

DOC. NO.	DATE	DOCUMENT
187	8/28/03	Letter to Fred Auch, Chair, Shoshone-Bannock Tribes of Fort Hall, from L. John Iani, Region 10 RA, re: Coordination and Consultation on Oregon Federal Water Quality Standards, August 28, 2003
188	8/28/03	Letter to Ronald Brainard, Chair, Confederated Tribes of Coos, Lower Umpqua and Suislaw, from L. John Iani, Region 10 RA, re: Coordination and Consultation on Oregon Federal Water Quality Standards, August 28, 2003
189	8/28/03	Letter to Gary Burke, Chair, Confederated Tribes of the Umatilla Indian Reservation, from L. John Iani, Region 10 RA, re: Coordination and Consultation on Oregon Federal Water Quality Standards, August 28, 2003
190	8/28/03	Letter to Allan Foreman, Chair, The Klamath Tribe, from L. John Iani, Region 10 RA, re: Coordination and Consultation on Oregon Federal Water Quality Standards, August 28, 2003
191	8/28/03	Letter to Anthony D. Johnson, Chair, Nez Perce Tribe of Idaho, from L. John Iani, Region 10 RA, re: Coordination and Consultation on Oregon Federal Water Quality Standards, August 28, 2003
192	8/28/03	Letter to Cheryle Kennedy, Chair, Confederated Tribes of the Grand Ronde, from L. John Iani, Region 10 RA, re: Coordination and Consultation on Oregon Federal Water Quality Standards, August 28, 2003
193	8/28/03	Letter to Edward Metcalf, Chair, Coquille Indian Tribe, from L. John Iani, Region 10 RA, re: Coordination and Consultation on Oregon Federal Water Quality Standards, August 28, 2003
194	8/28/03	Letter to Olney Patt, Jr., Chair, Confederated Tribes of Warm Springs, from L. John Iani, Region 10 RA, re: Coordination and Consultation on Oregon Federal Water Quality Standards, August 28, 2003
195	8/28/03	Letter to Delores Pigsley, Chair, Siletz Tribal Council, from L. John Iani, Region 10 RA, re: Coordination and Consultation on Oregon Federal Water Quality Standards, August 28, 2003
196	8/28/03	Letter to Sue Shaffer, Chair, Cow Creek Band of Umpqua Indians, from L. John Iani, Region 10 RA, re: Coordination and Consultation on Water Quality in Oregon
197	8/28/03	Letter to Ross Sockzehigh, Chair, Yakima Indian Nation, from L. John Iani, Region 10, RA, re: Coordination and Consultation on Oregon Federal Water Quality Standards, August 28, 2003
198	7/16/01	U.S. EPA, Region 10, Tribal Consultation Framework, July 16, 2001
IX. Temperature Guidance and References – Additional Documents		
199	4/2003	EPA Region 10 Temperature Guidance, Overview, April 2003, Slide Presentation (pagination added)
200	2/2004	Poole, Geoffrey C., Dunham, Jason B., Keenan, Druscilla M., et al. February 2004. The Case for Regime-based Water Quality Standards

DOC. NO.	DATE	DOCUMENT
X. State Use Designations and Temperature Criteria – Additional Documents		
201	5/27/03	Life Stage Timing Criteria, Definitions, and Questions. Oregon Department of Fish and Wildlife
202	5/27/03	Fish Habitat Distribution Development Project, Primary Data Products - Description and Major Attributes. Natural Resources Information Management Program, Oregon Department of Fish and Wildlife
203	9/10/03	Email from Elizabeth Materna to Dru Keenan re: Spawning Times in the Pine River Basin
204	12/15/03	Email from Debra Sturdevant, ODEQ, to Dru Keenan, EPA, and Elizabeth Materna, Fish and Wildlife Service, re: Lahontan Cutthroat

Abbreviations:

Bureau of Rec.: Bureau of Reclamation

EFH: Essential Fish Habitat

EPA: Environmental Protection Agency

ESA: Endangered Species Act

IFA: Institute for Fisheries Resources

NMFS: National Marine Fisheries Service

NOAA: National Oceanic Atmospheric Administration

NPDES: National Pollutant Discharge Elimination System

NWPPC: Northwest Power Planning Council

ODEQ (or DEQ): Oregon Department of Environmental Quality

PCFFA: Pacific Coast Federation of Fishermen's Association

RA: Regional Administrator

R10: Region 10

TMDL: Total Maximum Daily Load

USACOE: U.S. Army Corps of Engineers

USFWS: U.S. Fish and Wildlife Service

WDOE: Washington Department of Ecology